

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JUNE 12, 2001
COUNTY COMMISSIONERS CHAMBERS
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.**

Commissioners Present: Kathy Campbell, Chair
Bob Workman, Vice Chair
Bernie Heier
Larry Hudkins
Linda Steinman

Others Present: Norm Agena, County Assessor
Kerry Eagan, Chief Administrative Officer
Diane Staab, Deputy County Attorney
Bruce Medcalf, County Clerk
Gwen Thorpe, Deputy County Clerk

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, June 5, 2001. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

MOTION: Hudkins moved and Heier seconded approval of the minutes of the Board of Equalization meeting dated June 5, 2001. Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 2 additions and deductions to the tax assessment rolls per Exhibit A.

MOTION: Workman moved and Steinman seconded approval. Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

- 3) **MOTOR VEHICLE TAX EXEMPTIONS:**

Nebraska SPF Swine Accrediting Agency, Inc.

MOTION: Steinman moved and Heier seconded approval of a motor vehicle tax exemption for Nebraska SPF Swine Accrediting Agency, Inc. Steinman, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

The Chair recessed the Board of Equalization until 2:30 p.m. when it was reconvened.

4) **REMOVAL OF A TAX EXEMPTION ON REAL PROPERTY FOR THE FOLLOWING:**

Wyuka

Appearing were Bill Olson, attorney, and Mike Hutchinson, representing Wyuka Cemetery.

Hutchinson requested a copy of phasing plan for Wyuka Cemetery be submitted into the record (Exhibit 1).

Olson referred to Legislative Bill (LB) 271 which falls under Section 77-202.09 of the statutes.

In response to a question asked by Workman, Hutchinson explained that the parcel of land consists of 2.4 acres.

Brief discussion took place regarding the legislative history of LB 271 with Olson reading the following into the record, "LB 271 is to implement Amendment 2C that was approved by the voters last November. The approach taken by LB 271 is to tax property leased by the state and local governments to private commercial enterprises. The tax is to be paid by the lessee as if the property were owned." Olson also submitted a copy of the Introducer's Statement of Intent into the record (Exhibit 2). Olson stated it was clear to him that the intent was to tax land that is actually leased, not land that may possibly be leased.

Workman stated the difference of opinion is that the Assessor's Office believes that advertising the property for lease constitutes a change in use.

Hudkins stated he would like an opinion from the County Attorney's Office regarding the statute.

Norm Agena, County Assessor, explained when an exemption for a cemetery comes into his office indicating that an organization is going to advertise property for lease and a copy of the lease is attached, it indicates to him that the property isn't being used for that specific purpose. At that point, he said, he must put the property back on the tax rolls because it doesn't qualify for that specific purpose.

Agena also referred to a 1997 opinion from the County Attorney's Office which indicated that Wyuka applies for exemptions like any other permissive legislative cemetery, religious, charitable, or educational organization.

Hudkins reiterated that an opinion from the County Attorney should be sought regarding whether a change of use should be instituted at the time property is advertised for lease or when the property is leased.

MOTION: Hudkins moved and Heier seconded to defer action on the removal of an exemption for Wyuka and request a County Attorney's opinion regarding whether a change of use should be instituted at the time property is advertised for lease or at the time it is leased. Workman, Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

5) **APPEAL FILED ON PENALTY ASSESSED ON PERSONAL PROPERTY FOR THE FOLLOWING:**

Intellicall Operator Services, Inc.

Norm Agena, County Assessor, stated the late filing penalty would be approximately \$25.

MOTION: Steinman moved and Hudkins seconded to accept the Assessor's recommendation and assess a penalty against personal property for Intellical Operator Services, Inc. Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

6) **ADJOURNMENT**

MOTION: Steinman moved and Workman seconded adjournment of the Board of Equalization. Steinman, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JUNE 12, 2001
COUNTY COMMISSIONERS CHAMBERS
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.**

Commissioners Present: Kathy Campbell, Chair
Bob Workman, Vice Chair
Bernie Heier
Larry Hudkins
Linda Steinman

Others Present: Kerry Eagan, Chief Administrative Officer
Diane Staab, Deputy County Attorney
Bruce Medcalf, County Clerk
Gwen Thorpe, Deputy County Clerk

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, June 5, 2001. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

MOTION: Heier moved and Hudkins seconded approval of the minutes of the Board of Commissioners meeting dated June 5, 2001. Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

- 2) **CLAIMS:** Approval of all claims processed through Tuesday, June 12, 2001.

MOTION: Workman moved and Steinman seconded approval. Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

- 3) **SPECIAL PRESENTATIONS:**

A. The Commissioners Award of Excellence was presented to Margaret Riege, Correctional Officer.

B. Administration of oath to Nick Heitman, Jeremy Scharz and Sydney Graham, new Lancaster County Sheriff's Deputies.

The Clerk administered the oath of office to Nick Heitman, Jeremy Scharz and Sydney Graham, new Lancaster County Sheriff's Deputies.

3) **SPECIAL PRESENTATIONS CONTINUED:**

C. Lancaster County Sheriff's Office Employee Awards were presented to the following:

2000 Deputy Sheriff of the Year - Deputy Amy Thorpe
2000 Gallantry Star Award - Sergeant Todd Duncan and Deputy Brent Moore
2000 Meritorious Service Award - Captain Gary Juilfs
2000 Lifesaving Award - Deputy Kevin Pohlen and Chief Deputy Bill Jarrett
2000 Exceptional Duty Award - Captain Owen Yardley
2000 Civilian Employee of the Year - Pat Garcia, Record Systems Specialist

4) **NEW BUSINESS:**

A. An application for a Special Designated License from the Wine Merchants Inc. to hold the Lincoln High Class of '71 Reunion on Saturday, July 7, 2001 from 5 p.m. to 1 a.m. at Country Pines, Inc. located at 6305 West Adams Street in Lancaster County, Nebraska.

MOTION: Steinman moved and Heier seconded approval. Steinman, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

B. An agreement with the City of Waverly for law enforcement services. The County will provide two deputies and the City of Waverly will pay \$8,079.31 per month, beginning July 1, 2001 and ending June 30, 2002. (C-01-276)

MOTION: Steinman moved and Heier seconded approval. Heier, Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

C. An agreement with Lincoln Electric System of Lincoln to adjust some, if not all, of its facility in conjunction with Project C55-G-405(2), North 70th Street, Interstate 80 to Waverly Road. The County's estimated cost is \$139,736 and the County shall pay no more than \$209,600. (C-01-269)

MOTION: Heier moved and Steinman seconded approval. Campbell, Steinman, Workman, Heier and Hudkins voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

D. An agreement with the State of Nebraska, Department of Education regarding the school lunch program at the Juvenile Detention Center. (C-01-278)

Diane Staab, Deputy County Attorney, requested the agreement be deferred for further review.

MOTION: Steinman moved and Workman seconded to defer the agreement with the State of Nebraska, Department of Education for one week or until such time that the County Attorney's Office places it back on the agenda. Heier, Workman, Steinman, Campbell and Hudkins voted aye. Motion carried.

E. A resolution authorizing the installation of a 25 mile per hour speed limit sign on West Calvert Street, west of Folsom Street for eastbound traffic. (R-01-44)

MOTION: Heier moved and Steinman seconded approval of Resolution 01-44. Steinman, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

F. Recommendation from the Purchasing Agent to award a bid to Commonwealth Electric Company, in the amount of \$12,743.25, for the installation of ornamental lighting for the new Juvenile Detention Center. (B-01-28)

MOTION: Steinman moved and Heier seconded approval. Workman, Campbell, Hudkins, Steinman and Heier voted aye. Motion carried.

G. Appointment of Gwen Thorpe as the Deputy Chief Administrative Officer to the Lancaster County Board of Commissioners at a salary of \$54,000, with a review of the position description and performance after six months.

Diane Staab, Deputy County Attorney, requested that an effective date of June 28, 2001 be added.

MOTION: Steinman moved and Heier seconded approval of the appointment of Gwen Thorpe as the Deputy Chief Administrative Officer to the Lancaster County Board of Commissioners, effective June 28, 2001, at a salary of \$54,000, with a review of the position description and performance after six months.

4) **NEW BUSINESS CONTINUED:**

Hudkins expressed concerns regarding the expenditure of \$54,000, long term costs and the expansion of County government.

ROLL CALL: Workman, Heier, Campbell and Steinman voted aye. Hudkins voted no. Motion carried.

H. Request for approval of the appointment of Bruce D. Dart as the Director of the Lincoln-Lancaster County Department of Health.

MOTION: Steinman moved and Heier seconded approval. Campbell, Heier, Steinman, Workman and Hudkins voted aye. Motion carried.

I. Request from the Personnel Policy Board for the following: (M-01-76)

Create the following classifications:

<u>Class Code</u>	<u>Class Title</u>	<u>Proposed Pay Grade</u>
7860	Juvenile Detention Officer	\$23,647.52 to \$31,056.48
7875	Juvenile Training Coordinator	\$30,001.92 to \$39,131.04

Revise the class title for the following classifications:

<u>Class Code</u>	<u>Current Class Title</u>	<u>Proposed Class Title</u>
7870	Juvenile Care Supervisor	Juvenile Detention Supervisor

1. Request to revise the Family and Medical Leave Act Personnel Policy Bulletin
2. Request to revise the Harassment Personnel Policy Bulletin
3. Request to create the Worker's Compensation Personnel Policy Bulletin
4. Request to create the Breast-feeding Personnel Policy Bulletin

MOTION: Steinman moved and Heier seconded approval. Hudkins, Campbell, Steinman, Heier and Workman voted aye. Motion carried.

- 5) **CONSENT ITEMS:** These are items of business that are routine and which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

1. Lincoln Electric System's Annual Report for 2000.

B. Setting of a public hearing for Tuesday, June 26, 2001 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding Comprehensive Plan Amendment 94-61, requested by the Director of Planning, for an amendment to the 1994 Lincoln/Lancaster County Comprehensive Plan to designate land near Northwest 27th Street and West Fletcher Avenue as inside the "Future Service Limit" and to include West Fletcher Avenue from Northwest 12th to Northwest 31st Streets and a new interchange at Northwest 27th Street and Highway 34 in the future road network and transportation plans.

C. Request from Shane Hoesche, an employee with the Lancaster County Engineering Department, to voluntarily participate in the Lancaster County Retirement Plan. (M-01-75)

D. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following:

- ▶ Edna L. Joosten at South 68th Street and Pella Road; Project C.P.-X-183. This is a donation. (C-01-270)
- ▶ Arthur and Ruth O. Docter at South 68th Street and Pella Road; Project C.P.-X-183. This is a donation. (C-01-271)
- ▶ Bradley R. and Cynthia A. Braunsroth, in the amount of \$566, on West Denton Road; Project C55-N-404(1). (3 contracts) (C-01-273 through C-01-275)

E. A leasehold contract relating to road improvements between the Lancaster County Engineering Department and Jerry Nicholls, in the amount of \$10, on Bluff Road at Northwest 40th Street; Project C.P. F-260. (C-01-272)

MOTION: Hudkins moved and Steinman seconded approval of the Consent Items. Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

6) **OTHER BUSINESS:**

The Lancaster County Board of Commissioners presented Commissioner Linda Steinman with a plaque in appreciation of her service to the County.

7) **ADJOURNMENT**

MOTION: Steinman moved and Heier seconded adjournment of the Board of Commissioners meeting. Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

Bruce Medcalf
County Clerk